

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:08-cr-234-01

v.

HONORABLE PAUL L. MALONEY

ROBERT DEANGELO WILLIAMS, III

Defendant.

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MEMORANDUM OPINION AND ORDER

Defendant Robert Deangelo Williams, III has filed a motion for modification or reduction of sentence pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

Defendant is currently serving a term of imprisonment based on his offense which included distributing of .44 grams of cocaine base. Amendment 750 is of no assistance to the defendant as the base offense level remains 12 for offenses involving 1.4 grams or less of cocaine base (crack cocaine). Under these facts, the Court is not authorized to reduce his term of

imprisonment based upon the modifications to the sentencing guidelines. *See United States v. Watkins*, 625 F.3d 277, 281-82 (6th Cir. 2010). Accordingly,

IT IS HEREBY ORDERED that Defendant Robert Deangelo Williams, III's motion for modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (ECF No. 45) is **DENIED**.

IT IS FURTHER ORDERED that defendant's request for court appointed counsel is also **DENIED**,

Date: January 11, 2012

/s/ Paul L. Maloney

Paul L. Maloney
Chief United States District Judge